

SCOTT N. SCHOOLS, SC SBN 9990
 United States Attorney
 JOANN M. SWANSON, CSBN 88143
 Assistant United States Attorney
 Chief, Civil Division
 ILA C. DEISS, NY SBN 3052909
 Assistant United States Attorney
 450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-7124
 FAX: (415) 436-7169

Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

JOAQUIN A. RODRIGUEZ TORRES,
 CORNELIA M. STEUBE,

Plaintiffs,

v.

GERARD HEINAUER, Director, U.S.
 Citizenship and Immigration Services,
 Nebraska Service Center;
 DR. EMILIO T. GONZALEZ, Director, U.S.
 Citizenship and Immigration Services;
 MICHAEL CHERTOFF, Secretary of the U.S.
 Department of Homeland Security;
 ROBERT MUELLER, Director,
 Federal Bureau of Investigations;
 ALBERTO GONZALES, Attorney General,
 U.S. Department of Justice,

Defendants.

No. C 07-3345 TEH

**PARTIES' JOINT REQUEST TO BE
 EXEMPT FROM FORMAL ADR
 PROCESS and ~~PROPOSED~~ ORDER**

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them. Here, the parties agree that referral to a formal ADR process will not be beneficial because this mandamus action is limited to plaintiffs' request that this Court compel

defendants to adjudicate their applications for adjustment of status. Given the substance of the action and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the ADR Multi-Option Program and that they be excused from participating in the ADR phone conference and any further formal ADR process.

Dated: September 10, 2007

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney

/s/
ILA C. DEISS
Assistant United States Attorney
Attorney for Defendants

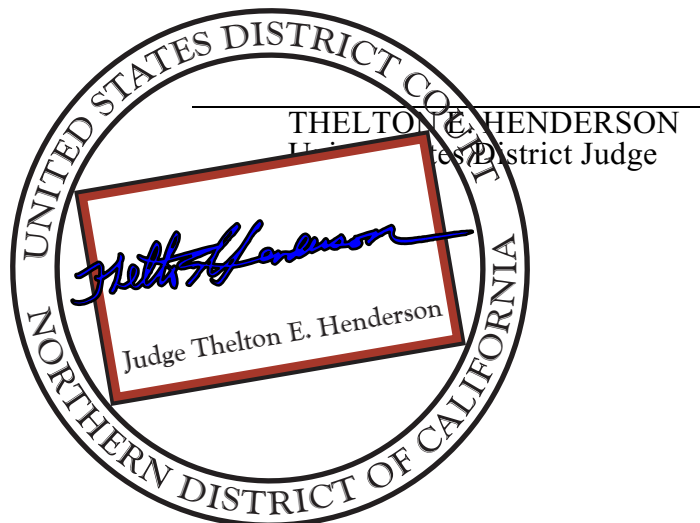
Dated: September 10, 2007

/s/
MARTIN J. LAWLER
Attorney for Plaintiffs

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: 09/12/07



THELTON E. HENDERSON
United States District Judge